

Before the
COPYRIGHT ROYALTY BOARD
United States Copyright Office
Washington, DC

In re

Distribution of Digital Audio Recording
Royalty Funds

CONSOLIDATED
Docket No. 2008-3 CRB DD

SETTLEMENT REPORT

The Alliance of Artists and Recording Companies (“AARC”) on behalf of itself and the only other party in this proceeding¹, Herman Kelly (“Kelly”), pursuant to the Copyright Royalty Board’s notice commencing, *inter alia*, the voluntary negotiation period, report that they have reached a settlement for the relevant royalty years, 2008 – 2011, the years for which Kelly filed claims.² Notice of Participants, Commencement of Voluntary Negotiation Period, and Case Scheduling Order (Feb. 27, 2019).

AARC will represent Kelly as an AARC participant (member) in this consolidated proceeding and all proceedings hereafter. Therefore, AARC and Kelly respectfully request that Kelly’s claims be incorporated into AARC’s claims.

WHEREFORE, as explained above, AARC and Kelly respectfully report that they have reached a settlement.

¹ In addition to AARC and Kelly, Eugene “Lambchops” Curry (“Curry”) and David Powell (“Powell”) filed documents titled Petitions to Participate. On February 27, the CRB granted AARC’s motions to reject both Curry’s and Powell’s petitions as defective and therefore, dismissed both filers. Order Granting AARC Motion to Reject Eugene Curry’s Defective Filing and Dismissing Eugene Curry (Feb. 27, 2019); Order Granting AARC Motion to Reject David Powell’s Defective Filing and Dismissing David Powell (Feb. 27, 2019). Curry’s motion for leave to file a late Petition to Participate was granted on April 19, 2019. Order Granting Eugene Curry Leave to File Late Petition to Participate (Apr. 19, 2019). On April 24, 2019, Curry filed a late Petition to Participate, which is pending before the CRB..

² AARC filed claims in all the DART Sound Recordings Funds and Subfunds for the entire period consolidated in this proceeding (2007 – 2011).

Respectfully submitted,
On Behalf of AARC
/s/Linda R. Bocchi, Esq.
Linda R. Bocchi, Esq.
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April 23, 2019

Proof of Delivery

I hereby certify that on Wednesday, April 24, 2019 I provided a true and correct copy of the Notice of Settlement to the following:

Kelly, Herman, represented by HERMAN KELLY MR served via Electronic Service at hermankelly@att.net

Signed: /s/ Linda R Bocchi